

LIBELED: 5-24-55, S. Dist. Calif. and N. Dist. Calif.

CHARGE: 502 (a)—the labeling of the *Atomotrone devices*, when shipped and while held for sale, when taken as a whole, as well as through specific claims, and in the setting in which it was presented, contained false and misleading representations and suggestions that the devices provided an adequate and effective treatment for the following conditions: Acidosis, anemia, apoplexy stroke, arthritis, bad health, baldness, blindness, Bright's disease, including chronic Bright's disease, congenital Bright's disease, and incurable Bright's disease, cancer, cardiac paralysis, cataracts, chronic disease, chronic indigestion, colonic cancer, colon spasm, deafness, diabetes, dropsy, eczema, enlarged heart, excessive menstrual bleeding, fibroid tumor of uterus, frequent colds, gallstones, gas, glandular deficiency, goiter, growths in stomach and rectum, hacking cough, heart attack, heart disease (all types), heart trouble, heart valve disease, hemorrhages, hemorrhoids, high blood pressure, high fevers, hypertension, indigestion, kidney disease, kidney stones, leg pains, low blood pressure, menstrual cramps, nausea, nephritis, nervous exhaustion, nervousness, numbness, pains in abdomen, arms, back, chest, heart, hips, liver, neck, shoulders, and stomach, palpitation of heart, paralysis, paralysis agitans, penicillin poisoning, pernicious anemia, postoperative lack of energy and vitality, pressure around heart, prostatitis, pus in the kidneys, pus in the lungs, rapid heart, rectal diseases, severe headaches, shortness of breath, sinus disease, sore throat, stomach hemorrhages, stomach trouble, stomach ulcerations, suspected tuberculosis, toxic goiter with ophthalmic symptoms, tuberculosis, tumors, ulcers, virus infection, and weakness in legs and hands.

The labeling of the devices, when taken as a whole, as well as through specific claims, and in the setting in which it was presented, contained also statements which created the following false and misleading impressions: (a) that competent medical treatment of serious diseases, such as diabetes, cancer, heart trouble, tuberculosis, and many others, might be safely discontinued by persons who drank water and ate food treated in the devices; (b) that the shortwave unit of the devices produced an ultra high frequency wave; (c) that the shortwave unit of the devices produced radiation which broke up water molecules in jars of water placed in the devices; (d) that there were no chemical cures for any ailment known to man; (e) that food which was treated in the devices was detoxified and mineralized; and (f) that ordinary tap water which was treated in the devices became a source of substantial amounts of vitamins and minerals.

The labeling of the devices also was false and misleading since it represented and suggested that the devices were invented by William Estep and purported to set forth high lights in William Estep's life portraying him as licensed to practice medicine in the State of Florida and as a renowned scientist and benefactor of mankind, but the labeling failed to reveal the following facts, which were material in the light of such representations, suggestions, and portrayal: (a) that William Estep had been prohibited from practicing medicine in Florida; (b) that William Estep had been convicted and sentenced in Illinois to imprisonment for 3 to 5 years and to pay a fine of \$2,000 for conspiracy to violate the Medical Practice Act, for conspiracy to perpetrate a confidence game, and for conspiracy to obtain money under false pretenses, arising out of his treatment of patients with "atomic water" and various other therapeutic and diagnostic measures, which had been described by the Appellate Court of Illinois as an activity "to deceive and defraud the unfor-